

March 6, 2007

*Via Electronic Filing*

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, DC 20554

Re: WT Docket Nos. 06-150, 06-169 and 96-86  
*Written Ex Parte*

Dear Ms. Dortch:

Attached please find a description of the five principles advanced by The Coalition for 4G in America, which includes Access Spectrum, L.L.C., the DIRECTV Group, Inc., EchoStar Satellite, L.L.C., Google Inc., Intel Corporation, Skype, Inc., and Yahoo! Inc. Action by the Commission consistent with these principles will optimize the 700 MHz Band for next-generation technologies and networks. We request that this written *ex parte* be included in the record of the above-referenced proceedings.

Respectfully submitted,

/s/ Ruth Milkman

Ruth Milkman

Counsel for Access Spectrum, L.L.C.

Attachment

cc: John Branscome  
Fred Campbell  
Jeff Cohen  
Paul D'Ari  
Angela Giancarlo  
Aaron Goldberger  
Bruce Gottlieb  
Evan Kwerel  
Cathleen Massey  
Barry Ohlson  
Jim Schlichting  
Dana Shaffer  
Margaret Wiener

**The Coalition for 4G in America –  
Optimizing the 700 MHz Band for Next Generation Technologies and Networks**

The undersigned companies urge the Commission to take action in WT Docket Nos. 96-86, 06-169, and 06-150 consistent with the principles described below:

**Primary principle:**

*(1) The Congressionally-mandated DTV transition must remain on track.* Any modifications to the FCC's rules (as outlined below) must not violate the Digital Television Transition and Public Safety Act of 2005 ("DTV Act"), which establishes February 17, 2009 as the hard date for the DTV transition and January 28, 2008 as the deadline for the auction of the 60 MHz of commercial spectrum in the 700 MHz band.

**Secondary principles (which are contingent on not violating the primary principle):**

*(1) The Broadband Optimization Plan ("BOP") should be adopted promptly.* Prompt action by the Commission would ensure compliance with the statutory deadlines in the DTV Act, and would allow both public safety and commercial entities to begin to plan now for systems to be deployed based on BOP upon completion of the DTV transition. Adoption of BOP also would enable more flexible choice of broadband technologies in the spectrum allocated to public safety. BOP should be adopted immediately.

*(2) The 15 MHz paired commercial allocation in the Upper 700 MHz Band should be re-configured into a 16.5 MHz paired allocation. This should be partitioned into one 11 MHz pair and one 5.5 MHz pair to preserve similarity to the plan of record.* The use of 5.5 MHz "building blocks" gives an immediate 10% increase in bandwidth compared to 5 MHz blocks. This allows more capable next generation broadband network performance, going into the auction. The 11 MHz and 5.5 MHz pairs allow greater flexibility in technology implementation and business plans. Locating the paired 5.5 MHz commercial block directly adjacent to public safety's paired 5.5 MHz broadband block would better enable public-private partnerships and lead to potential cost savings for public safety.

*(3) Package bidding should be used in the Upper and Lower 700 MHz band. In the Upper 700 MHz band, if package bidding is used, then the paired 11 MHz block should be licensed in REAGs and the paired 5.5 MHz block should be licensed in MEAs.* The use of package bidding and the proposed licensing scheme facilitates more efficient geographic and bandwidth aggregation, such that bidders could easily sum to REAGs, or nationwide licenses. In addition, the use of package bidding and this licensing scheme would promote new entry by permitting flexible business plans and preventing a company from blocking nationwide entry simply by acquiring one regional license.

*(4) Two-sided auctions should be utilized.* The use of two-sided auctions would enable the aggregation of the upper 700 MHz commercial blocks in a single, more efficient auction.

/s/ Michael I. Gottdenker

Michael I. Gottdenker  
Chairman and CEO  
Access Spectrum, L.L.C.  
2 Bethesda Metro Center  
Bethesda MD 20814-6319

/s/ Stacy Fuller

Stacy Fuller  
Vice President, Regulatory Affairs  
The DIRECTV Group, Inc.  
444 N. Capitol Street, NW, Suite 728  
Washington, DC 20001

/s/ Linda Kinney

Linda Kinney  
Vice President, Law and Regulation  
EchoStar Satellite, L.L.C.  
1233 20<sup>th</sup> Street, N.W.  
Washington, DC 20036-2396

/s/ Richard Whitt

Richard Whitt  
Washington Telecom and Media Counsel  
Google Inc.  
Suite 600 South  
1001 Pennsylvania Avenue, NW  
Washington, D.C. 20004

/s/ Peter K. Pitsch

Peter K. Pitsch  
Communications Policy Director  
Intel Corporation  
1634 I Street NW, Suite 300  
Washington, DC 20006

/s/ Christopher Libertelli

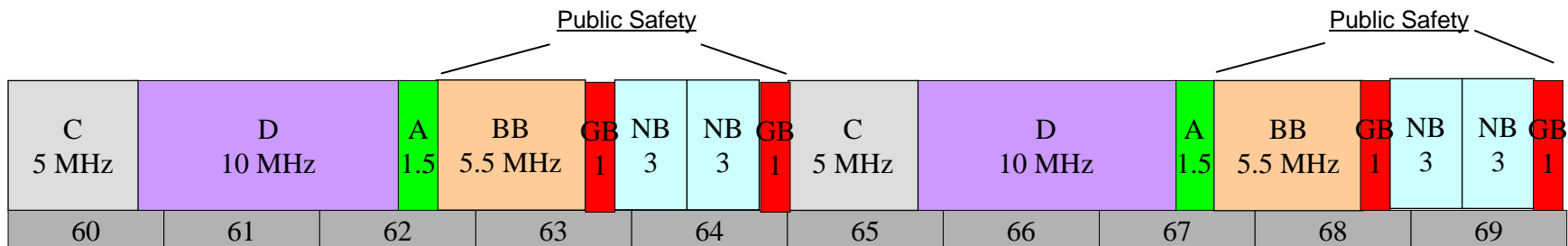
Christopher Libertelli  
Director, Government & Regulatory Affairs | N.A.  
Skype, Inc.  
2145 Hamilton Avenue  
San Jose, CA 95125

/s/ James W. Hedlund

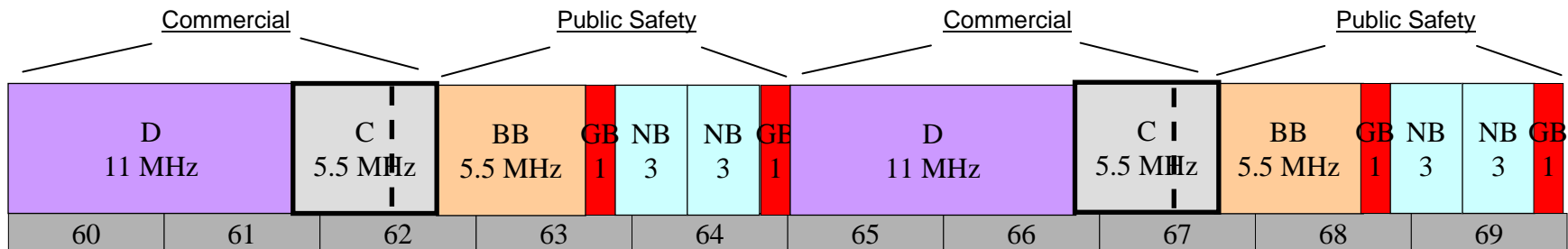
James W. Hedlund  
Director  
Yahoo! Inc.  
444 North Capitol Street, N.W., Suite 605  
Washington, DC 20001

# Coalition for 4G in America

- Re-configuring the public safety allocation – The Broadband Optimization Plan



- Re-configuring the commercial allocation – The “4G in America” Plan



- Geographic areas

D Block (11 MHz)	12 REAGs (6 CONUS Regions)
C Block (5.5 MHz)	52 MEAs